

THE HONORABLE BRIAN A. TSUCHIDA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN M. LOVE,

Defendant.

No. CR 16-0005 BAT

**MOTION FOR RETURN OF
PASSPORT**

**NOTE FOR MOTION
CALENDAR: DECEMBER 2,
2016**

I. INTRODUCTION

Defendant Jonathan M. Love, through counsel, brings this motion to request his passport be returned to counsel, rather than be forwarded to the Department of State, as proposed in the Notice of Intent to Forward Passport. *See* Dkt. # 21.

II. PROCEDURAL HISTORY

On January 15, 2016, Mr. Love pleaded guilty to a gross misdemeanor. *See* Dkt. # 6. The same day, Mr. Love also surrendered his United States passport as directed by the Court pursuant to a special condition of the Appearance Bond. *See* Dkt. # 8 and 9. Mr. Love was sentenced by the Court on April 20, 2016. *See* Dkt. # 16. On October 26, 2016, the Court modified the conditions of Mr. Love's supervision, with his consent, to relocate his supervision to the District of Oregon. *See* Dkt. # 19.

Mr. Love has completed his 30-day custodial confinement (*see* Dkt. # 16), and his period of one year of supervised release began on June 22, 2016 (*see* Dkt. # 19). He has paid his

1 restitution in full. *See* Dkt. # 19.

2 **III. ARGUMENT**

3 Longstanding practice in this District has been to return United States passports to
4 defense counsel upon self-surrender. Only recently has this District implemented a policy of
5 forwarding United States passports to the Department of State, where they will be destroyed.
6 There is nothing about Mr. Love or about this case that merits the destruction of his passport
7 rather than return of that document to defense counsel. Mr. Love is not a flight risk, has
8 completed his time in custody, and has already fulfilled his financial obligations. *See* Dkt. # 19.
9 While Mr. Love might be able to obtain a new passport upon release, it would require additional
10 expense, time, and effort, not only on his part, but also on the part of the government to process
11 that request and to issue a new passport.
12

13 Mr. Love accepted responsibility for his actions in this matter and has complied with
14 every condition placed upon him throughout this process. We notified government counsel,
15 AUSA Mathew Diggs, of this request and received no objection.

16 **IV. CONCLUSION**

17 We respectfully request the Court to order that Mr. Love's passport be returned to
18 defense counsel, that it not be forwarded to the Department of State for destruction, and that
19 defense counsel be authorized to provide Mr. Love with his passport once he has completed his
20 term of supervised release. We have prepared a proposed Order for the Court's consideration.
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1 DATED November 21, 2016.

2 **McKAY CHADWELL, PLLC**

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5 s/ Thomas M. Brennan

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